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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/738,327	12/18/2000	Russell R. Clarke	C3671.0019/P0019	2245

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EXAMINER	
LEZAK, ARRIENNE M	
ART UNIT	PAPER NUMBER
2143	

DATE MAILED: 04/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/738,327

Applicant(s)

CLARKE, RUSSELL R.

Examiner

Arrienne M. Lezak

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- ☐ Responsive to communication(s) filed on ____.
- ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- ☐ Claim(s) ____ is/are allowed.
- ☒ Claim(s) 1-27 is/are rejected.
- ☐ Claim(s) ____ is/are objected to.
- ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- ☐ The specification is objected to by the Examiner.
- ☒ The drawing(s) filed on 12 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
 - ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.

- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 5, 7-22 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 5,600,554 to Williams.
3. Regarding Claims 1 and 18, Williams discloses a business computer network for managing employee data, (Abstract; Col. 2, lines 46-49; and Col. 4, lines 62-67), said network comprising:
- creating a database, (Fig. 13), said database storing employee specific information for a plurality of employees, (Col. 5, lines 4-6 and 45-47); and
 - at least one server, (Fig. 1 and 2; Col. 5, lines 13-24), said at least one server communicating with said database over a network backbone, (Fig. 1; Col. 5, lines 13-26), said at least one server providing said employee specific information to a plurality of clients, (Col. 2, lines 46-55; Fig. 2; and Col. 5, lines 7-47).
4. Williams does not specifically enumerate the incorporation of the web/Internet, however, Examiner notes that the application of the Williams network to the Internet would have been obvious to one of ordinary skill in the art at the time of invention by Applicant, as Williams teaches the use of any type of network, (Col. 4, lines 62-64), and

the Internet is obviously one form of network. Further, Examiner notes, that even though Williams applies to a single relational database, (Col. 5, lines 4-6), of employee information, (Abstract), on a LAN, (Col. 4, lines 63-66), the application of the same to a global Internet-based network comprised of a plurality of relational databases, would have been an obvious means of managing employee information outside a LAN, such as within an International company consisting of numerous subsidiary holdings. Therefore, Claims 1 and 18 are unpatentable over complete consideration of the teachings of Williams.

5. Regarding Claims 2, 19 and 20, Williams discloses a network wherein said plurality of clients comprise end user employee clients enabling employees to view and/or modify employee specific information, (Col. 6, lines 45-67; Col. 7; Col. 8, lines 1-3; and Col. 11, lines 23-63). Examiner notes that within the context of Williams, the term "user" obviously includes any employee with proper access rights. Therefore, Claims 2, 19 and 20 are unpatentable over complete consideration of the teachings of Williams.

6. Regarding Claims 3, 21 and 22, Williams discloses a network wherein said plurality of clients comprise human resources clients enabling human resources personnel to view and/or modify employee specific information, (Col. 6, lines 45-67; Col. 7; Col. 8, lines 1-3; and Col. 11, lines 23-63). Examiner notes that within the context of Williams, the term "user" obviously includes any employee with proper access rights. Therefore, Claims 3, 21 and 22 are unpatentable over complete consideration of the teachings of Williams.

7. Regarding Claim 5, Williams discloses a network wherein said database comprises a relational database, (Col. 5, lines 3-5). Examiner notes that the use of a "plurality of databases" is obvious as noted herein above relative to Claims 1 and 18. Therefore, Claim 5 is unpatentable over complete consideration of the teachings of Williams.

8. Regarding Claims 7-17, Williams discloses a network wherein said employee specific information comprises a variety of payroll and human resources data, (Fig. 7, 12-16; Col. 8, lines 55-67; Col. 9, lines 1-25; and Col. 11, lines 6-66). Examiner notes that any payroll or human resources data not specifically enumerated within Williams would have been obvious to include within the same. Therefore, Claims 7-17 are unpatentable over complete consideration of the teachings of Williams.

9. Regarding Claim 26, Williams discloses a network further comprising providing the ability for each employee to customize a personalized desktop on a client, (Col. 4, lines 62-66). Examiner notes that a DOS OS inherently includes a DOS-shell (user interface), which is customizable. Therefore, Claim 26 is unpatentable over complete consideration of the teachings of Williams.

10. Claims 4, 6, 23-25 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 5,600,554 to Williams in view of US Patent 5,870,562 to Butman. Williams is relied upon for those teachings disclosed herein above.

11. Regarding Claims 4, 23 and 24, as noted above, Williams discloses a network wherein a plurality of clients are enabled to view and/or modify employee specific, information. Williams further enumerates the tracking of employee benefits, (which

includes health care information), as a human resources activity, (Williams - Col. 2, lines 15-20). Williams does not specify vendors as clients wherein assumedly, said vendors are not naturally privy to intranet information thereby requiring the use of an "extranet".

12. Butman discloses the use of an extranet, wherein an intranet is connected to the Internet, (Butman - Col. 4, lines 50-51). As noted above, it would have been obvious to one of ordinary skill in the art at the time of invention by Applicant to incorporate the use of the Internet into Williams, (though Butman also teaches an Internet-based system), which could obviously include an extranet means for purposes of authorized vendor interaction. As network interaction within Williams, as noted above, includes authorized view and modify functionalities, Claims 4, 23 and 24 are also found to be unpatentable over the combined teachings of Williams in view of Butman.

13. Regarding Claims 6 and 25, as noted above, Williams discloses a network-based application wherein security means prevent unauthorized use. Further, as noted above, it would have been obvious to apply the teachings of Williams to an Internet network. That noted, Williams does not specifically teach the use a firewall as a security means. Butman teaches the use of a firewall as a security technique between an internal network and the Internet, (Butman - Col. 3, lines 36-64). As it would have been obvious to apply Williams to the Internet, creating an extranet, a security means such as a firewall would obviously be used to prevent unauthorized users from gaining access to the intranet. Thus, Claims 6 and 25 are found to be unpatentable over the combined teachings of Williams in view of Butman.

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14. Regarding Claim 27, as noted above, it would have been obvious to incorporate the Internet into the teachings of Williams, and it would have been obvious to combine the teachings of Williams and Butman to apply an extranet functionality to Williams. As an extranet and the use of firewalls create a means by which internal network users may bring information from the Internet into the intranet, (Butman – Col 3, lines 36-67), it is obvious that through a web server connected to the Internet, employees would have access to the Internet. Thus, Claim 27 is found to be unpatentable over the combined teachings of Williams in view of Butman.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arrienne M. Lezak whose telephone number is (703)-305-0717. The examiner can normally be reached on M-F 8:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (703)-308-5221. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Art Unit 2143

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